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## NEWS RELEASE

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October 26, 2007

### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *Five Attorneys Immediately Suspended; Three Receive Final Orders; Two are Reinstated*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken certain disciplinary action against eight attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. Two attorneys were reinstated. The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS). The BIA requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the immigration courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS. Disciplined attorneys must petition and be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and the DHS.

#### **Immediate Suspensions**

The BIA ordered the immediate suspension of the following attorneys:

- **Nathan D. Cooper:** He was suspended from the practice of law by the Supreme Court of Missouri for knowingly and willfully making false and fraudulent statements and representations in an application for Alien Employment and Certification for 110 unnamed aliens. He was immediately suspended by the BIA on Sept. 26, 2007, based on his suspension in Missouri, pending final disposition of his case.

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- **Richard Michael Elinski:** He was suspended from the practice of law for 6 months by the Supreme Court of California for violating probation imposed from previous discipline. He was immediately suspended by the BIA on Sept. 14, 2007, based on his suspension in California, pending final disposition of his case.
- **Yali Huang:** He was convicted of one count of conspiracy to defraud the United States and four counts of visa fraud by the U.S. District Court for the Southern District of Texas. He was immediately suspended by the BIA on Sept. 14, 2007, based on his conviction in Texas, pending final disposition of his case.
- **John W. Rhee:** He was suspended from the practice of law for 6 months by the Supreme Court of California for commingling fees and failing to perform legal services with competence. He was immediately suspended by the BIA on Sept. 14, 2007, based on his suspension in California, pending final disposition of his case.
- **James Harvey Tipler:** He was suspended from the practice of law for 91 days by the Supreme Court of Florida and for 15 months by the Supreme Court of Alabama for multiple violations of the states' rules of professional conduct, including engaging in conduct that adversely reflects on his fitness to practice law and conduct that is prejudicial to the administration of justice. He was immediately suspended by the BIA on Sept. 14, 2007, based on his suspensions in Florida and Alabama, pending final disposition of his case.

#### Final Orders of Discipline

- **Philip Dennis Abramowitz:** A final order of Sept. 26, 2007, expels him from practice before immigration tribunals based on his criminal convictions in the U.S. District Court for the Central District of California for making false statements and conspiracy to commit visa fraud.
- **Anthony Alvarez:** A final order of Sept. 14, 2007, suspends him from practice before immigration tribunals for 90 days, effective Aug. 15, 2007, based on his 90-day suspension in Florida for incompetence, lack of diligence, and failure to communicate with his clients.
- **Elizabeth Cohen:** A final order of Sept. 26, 2007, expels her from practice before immigration tribunals, effective April 27, 2007, based on her 2-year suspension in New York for knowingly or with reckless disregard offering false evidence when she submitted backdated documents to the former Immigration and Naturalization Service.

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#### Reinstatements

- **Rita H. Altman:** She was reinstated by the BIA on Sept. 14, 2007, after being reinstated to practice law in Florida.
- **Rickey A. Watson:** He was reinstated by the BIA on Sept. 14, 2007, after being reinstated to practice law in Texas.

## Background

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The rules also authorize the BIA to suspend immediately a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a federal or state court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR website at [http://www.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf).

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent clients in any matter before an immigration tribunal. EOIR also posts a “List of Disciplined Practitioners” on its website at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every new immediate suspension or final order can be accessed through this list by clicking on the highlighted “date” link.

Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR website.

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*EOIR is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases, the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions, and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing fair, expeditious, and uniform application of the nation's immigration laws in all cases.*

*Information about EOIR immigration proceedings is available on EOIR's website <http://www.usdoj.gov/eoir/press/subject.htm>.*